

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)



132nd MAINE LEGISLATURE

FIRST SPECIAL SESSION-2025

Legislative Document

No. 1361

H.P. 884

House of Representatives, April 1, 2025

**An Act to Require Insurance Coverage for Covered Dental Services
Provided by Licensed Dental Hygienists and to Authorize Licensed
Dental Hygienists to Bill Commercial Dental Insurance**

Received by the Clerk of the House on March 28, 2025. Referred to the Committee on Health Coverage, Insurance and Financial Services pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

Robert B. Hunt

ROBERT B. HUNT
Clerk

Presented by Representative MASTRACCIO of Sanford.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 24 MRSA §2317-B, sub-§21-A** is enacted to read:

3 **21-A. Title 24-A, sections 2765-B and 2847-X.** Coverage for services provided by
4 dental hygienists, Title 24-A, sections 2765-B and 2847-X;

5 **Sec. 2. 24-A MRSA §2765-B** is enacted to read:

6 **§2765-B. Coverage for services provided by dental hygienist; direct billing**

7 **1. Services provided by dental hygienist.** An insurer that issues individual dental
8 insurance or health insurance that includes coverage for dental services shall provide
9 coverage for dental services performed by a dental hygienist licensed under Title 32,
10 chapter 143 when those services are covered services under the contract and when they are
11 within the lawful scope of practice of the dental hygienist.

12 **2. Limits; coinsurance; deductibles.** A contract that provides coverage for the
13 services required by this section may contain provisions for maximum benefits and
14 coinsurance and reasonable limitations, deductibles and exclusions to the extent that these
15 provisions are not inconsistent with the requirements of this section.

16 **3. Direct billing.** If a contract provides coverage for services required under subsection
17 1, an insurer shall reimburse a dental hygienist for the services in accordance with the
18 following requirements:

19 A. The insurer must facilitate the ability of the dental hygienist to directly bill the
20 insurer for services that are within the lawful scope of practice of a dental hygienist.
21 The dental hygienist must adhere to any billing, documentation and reporting
22 requirements established by the insurer to ensure that all claims for reimbursement are
23 properly submitted and meet the insurer's standards for payment; and

24 B. The insurer must reimburse the dental hygienist for services in the same manner as
25 the insurer reimburses a dentist for the same services and may not reimburse the dental
26 hygienist at a lower reimbursement rate for providing the same services as a dentist if
27 those services are within the lawful scope of practice of a dental hygienist.

28 **Sec. 3. 24-A MRSA §2847-X** is enacted to read:

29 **§2847-X. Coverage for services provided by dental hygienist; direct billing**

30 **1. Services provided by dental hygienist.** An insurer that issues group dental
31 insurance or health insurance that includes coverage for dental services shall provide
32 coverage for dental services performed by a dental hygienist licensed under Title 32,
33 chapter 143 when those services are covered services under the contract and when they are
34 within the lawful scope of practice of the dental hygienist.

35 **2. Limits; coinsurance; deductibles.** A contract that provides coverage for the
36 services required by this section may contain provisions for maximum benefits and
37 coinsurance and reasonable limitations, deductibles and exclusions to the extent that these
38 provisions are not inconsistent with the requirements of this section.

39 **3. Direct billing.** If a contract provides coverage for services required under subsection
40 1, an insurer shall reimburse a dental hygienist for the services in accordance with the
41 following requirements:

A. The insurer must facilitate the ability of the dental hygienist to directly bill the insurer for services that are within the lawful scope of practice of a dental hygienist. The dental hygienist must adhere to any billing, documentation and reporting requirements established by the insurer to ensure that all claims for reimbursement are properly submitted and meet the insurer's standards for payment; and

B. The insurer must reimburse the dental hygienist for services in the same manner as the insurer reimburses a dentist for the same services and may not reimburse the dental hygienist at a lower reimbursement rate for providing the same services as a dentist if those services are within the lawful scope of practice of a dental hygienist.

Sec. 4. Application. This Act applies to all individual and group dental insurance policies, contracts and certificates and health insurance policies, contracts and certificates that provide coverage for dental services that are executed, delivered, issued for delivery, continued or renewed in this State on or after January 1, 2026. For purposes of this Act, all contracts are deemed to be renewed no later than the next yearly anniversary of the contract date.

SUMMARY

This bill requires insurance carriers that provide coverage for dental insurance to provide coverage for services performed by a licensed dental hygienist acting within the scope of the dental hygienist's license and to reimburse those dental hygienists that directly bill for those services.

The requirements apply beginning January 1, 2026.